

Docket EPC-71



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : **Bertram V. Burke**
Serial No. : **09/314,424**
Filed : **May 18, 1999**
For : **Voucherless Rebate System**
Art Unit : **3622**
Examiner : **Jean D. Janvier, Tel 703-308-6287, Fax 703-746-7238**

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the December 14, 2004 Office Action, please amend the specification and claims of this application as shown on the attached sheets.

Claims 1 to 46 remain in the application.

Reconsideration is respectfully requested of the rejection of claims 1 to 46 as unpatentable over Hovakimian in view of the "Flowers as a Gift" Article.

In this regard, the Examiner is respectfully thanked for the interview courteously granted applicant and applicant's counsel. At the time of the interview, applicant and counsel showed the Examiner a sketch illustrating the differences between the Hovakimian and Flowers article on the one hand and the present invention on the other. A copy of the sketch is attached.

In Hovakimian the donation is from the bank or central processor on the basis of the Purchaser of Supporter's selection of charity or organization. The Bank donor is part of the selection loop.

In Flowers the donation flows from the Merchant to the charity on the basis of the Purchaser or Supporter's selection of the charity or organization. The Merchant donor is part of the selection loop.

In the present invention, the donor (here the merchant) is out of the selection loop. The selection of the donee flows from the purchaser/supporter to the central clearinghouse. The merchant donor is out of the selection loop.

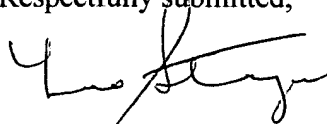
The claims are believed to be distinct and non-obvious from the references, alone or in combination, by virtue of features such as: "in the central clearinghouse forwarding to an account of said nonprofit the calculated and deducted rebates to a nonprofit selected by the supporter as entered in the central clearinghouse." in claim 1 and those depending therefrom; "with the processor system, crediting the rebate deducted from purchases of the supporter from said merchant in said transaction to an organization affiliated in the processor system by said supporter." in claim 2 and those depending therefrom; "in the system, crediting the amount of rebates determined by the one or more merchants, to the one or more organizations selected by the one or more supporters." in claim 7 and those depending therefrom; "said clearinghouse computer network crediting rebate calculations determined by said merchants, to said nonprofit organizations selected by said supporters." in claim 8 and those depending therefrom; and "the clearinghouse component deducting from the amount entered in the transaction from said merchant the calculated rebates determined by the merchant and in computer code the clearinghouse component forwarding to said organization component the calculated and deducted rebates to be paid from the merchant by the clearinghouse component to said organization on the basis of the selected relationship between the supporters and the organization." in claim 31 and those depending therefrom.

These features distinguish the claims from any of the references, alone or in combination. None, alone or in combination, suggests the donor being out of the loop.

The remaining references not cited against the claims add nothing to the
aforementioned to make the claims obvious.

In view of the above it is respectfully requested that the claims be allowed and
the case passed to issue.

Respectfully submitted,

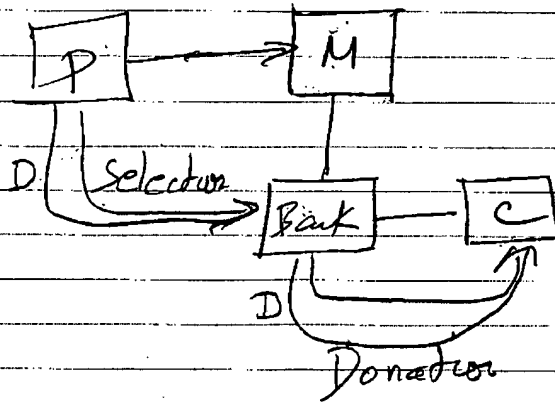
A handwritten signature in black ink, appearing to read 'Leo Stanger', written over a horizontal line.

Leo Stanger
Registration No. 19,188

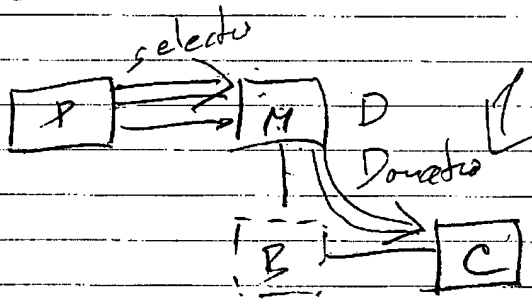
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Flowers



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